

Article - State Government

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§9–1015.

(a) (1) In this section the following words have the meanings indicated.

(2) “Certified or abridged copy” means a copy of a restricted vital record that contains only the personal information that appears on the certificate of birth and does not include any confidential medical information appearing on the certificate.

(3) “Department” means the Maryland Department of Health.

(4) “Extract” means the following information from a restricted vital record:

(i) full names;

(ii) birthplaces of parents; and

(iii) date and place of birth or death.

(5) “File” means to present for registration at the Department any certificate of birth, death, adoption, marriage, divorce, or annulment.

(6) “Restricted vital record” means a certificate of birth that pertains to a birth that occurred fewer than 100 years prior to the request for the record or to a death that occurred fewer than 10 years prior to the request for the record.

(7) “Unrestricted vital record” means a record in the custody of the Archives, including one obtained from the Department by the Archives, that pertains to a birth that occurred more than 100 years prior to the request for the record, or to any marriage license, to a report of absolute divorce or annulment of marriage, or to a death that occurred more than 10 years prior to the request for the record.

(8) “Vital record” means a record of birth, death, marriage, absolute divorce, or marriage annulment required by law to be filed with the Department.

(b) Upon request of the Archives, the Department shall provide the Archives with vital records and indexes of vital records that are in the custody of the Department.

- (c) Vital records and indexes may be copied by the Archivist in any manner.
- (d)
 - (1) Upon request, the Archives may only disclose and provide copies of vital records to:
 - (i) an individual who is lawfully entitled under § 4–217(b)(1) of the Health – General Article to obtain a certified or abridged copy of a restricted vital record from the Department or any other original custodian;
 - (ii) an individual who requests an unrestricted vital record; or
 - (iii) an individual who has evidence of the death of the person in the restricted vital record.
 - (2) An individual may examine and obtain a copy of indexes that pertain to vital records that are in the custody of the Archives.
 - (3) An individual may obtain an extract of a restricted vital record.
 - (4) An individual may obtain from the Archives a certified copy of the original of a vital record that may be examined under paragraph (1) of this subsection.
- (e) The Archives may charge a reasonable fee to cover the expense of copying vital records or indexes to a vital record, to make extracts from restricted vital records or to undertake a search for vital records.
- (f)
 - (1) An individual may not request a copy of vital records, indexes to vital records, or extracts from restricted vital records for the purpose of commercial solicitation or private gain.
 - (2) The Archives may require an individual to state the individual's intended use of the information obtained under this section.
- (g) Under this section, the copying and use of vital records for disclosure, the disclosure of vital records, or extracts of restricted vital records or indexes does not violate the rule of confidentiality in a provision of law, including Title 10, Subtitle 6 of this article or § 4–224 of the Health – General Article.
- (h) The Archives is not liable to an individual for:
 - (1) errors in indexing or extracting information from vital records; or
 - (2) reasonable reliance on evidence that the person in a restricted vital record is deceased.

(i) Unless a record has been transferred to the custody of the Archives, the information disclosed under this section does not constitute an official record.

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